

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN

GERALD NOVAK and  
ADAM WENZEL,  
Plaintiffs,

v.

Case No.: 21-cv-12008  
Honorable Thomas L. Ludington

**NOTICE**

WILLIAM FEDERSPIEL,  
in both his official and personal  
capacities,  
Defendant

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**NOTICE OF DECISION OF SAGINAW COUNTY CIRCUIT COURT**

Per this Court's directive on November 23, 2022, attached is the decision of the Saginaw County 10th Circuit Court (Borrello, J). Noting that "Defendant-Appellee concedes that a person holding the office of sheriff may be named a party in an action in an individual or official capacity, but denies that there is a sheriff's office that may be sued<sup>1</sup>," the Saginaw County 10th

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<sup>1</sup> *This* case has named Saginaw County Sheriff William Federspiel in his individual and official capacities.

Circuit Court affirmed the Saginaw County 70th District Court decision that the “Saginaw County Sheriff’s Office is not a legal entity subject to suit.”

**Exhibit A at 5, 9.**

Date: December 20, 2022

RESPECTFULLY SUBMITTED:

/s/ Philip L. Ellison  
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**CERTIFICATE OF SERVICE**

I, the undersigned attorney of record, hereby certify that on the date stated below, I electronically filed the foregoing with the Clerk of the Court using the ECF system which will send notification of such filing to all counsel or parties of record.

Date: December 20, 2022

RESPECTFULLY SUBMITTED:

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